



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 4

Hearing Date: February 24, 2005

Committee On: Judiciary

Introducer(s): (Thompson)

Title: Adopt the Interstate Compact for Juveniles

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 - Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

- | | | |
|---|---------------------|---|
| 7 | Yes | Senators Aguilar, Bourne, Combs, Flood, Foley, Friend, Pedersen |
| | No | |
| | Present, not voting | |
| 1 | Absent | Senator Chambers |
-

Proponents:

Senator Nancy Thompson
Frank Jenson
Larry Ruth

Representing:

Introducer
State Probation
Nebraska State Bar Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 4 adopts the Interstate Compact for Juveniles (Compact).

The purpose of the Compact is to supervise and track juveniles across state borders who are under juvenile court jurisdiction or orders including runaways, delinquents, status offenders, and adjudicated juveniles.

The “Interstate Commission for Juveniles” (Commission) is created by the compacting states. Each compacting state represented at any meeting of the Commission is entitled to one vote. The commission shall meet at least once per year. Meetings are open to the public except when certified to be closed upon a relevant exemptive provision. The Commission shall collect standardized data regarding the interstate movement of juveniles.

The powers and duties of the Commission include:

- providing dispute resolution among compacting states;
- promulgating rules;
- overseeing, supervising, and coordinating interstate movement of juveniles;
- enforcing compliance with compact provisions, rules, and bylaws;
- establishing and maintaining offices;
- purchasing and maintaining insurance bonds;
- accepting, borrowing, or hiring personnel and staff;
- establishing and appointing committees;
- electing or appointing officers, attorneys, employees, agents, or consultants;
- accepting donations and grants;
- leasing, purchasing, accepting any property;
- disposing of any property;
- establishing a budget;
- suing and being sued;
- adopting a seal and by-laws;
- performing functions necessary or appropriate to carry out the compact;
- reporting annually to the compacting states;
- coordinating education, training and public awareness regarding the interstate movement of juveniles;
- establishing uniform standards of reporting, collecting, and exchanging data; and
- maintaining corporate books and records.

The Compact provides for the organization and operation of the Commission; for promulgating rules; for oversight, enforcement, and dispute resolution; for the financing of its entity; and for the withdrawal, default, and termination of a compacting state as well as the dissolution of the compact.

Under the Compact, each state shall create a State Council for Interstate Juvenile Supervision which shall advise and advocate concerning the state's participation in the Commission activities.

The Compact becomes effective and binding upon the legislative enactment of the compact into law by at least 35 states. The initial effective date shall be the later of July 1, 2004 or upon the enactment of the 35th state.

The Governor in consultation with the Nebraska Council for Interstate Juvenile Supervision shall appoint a compact administrator. The administrator shall serve at the pleasure of the Governor and shall be the Nebraska Commissioner for the Interstate Commission.

Finally, the Compact provides that the binding effect is that all lawful actions of the commission are binding upon the compacting states.

Senator Patrick J. Bourne, Chairperson